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1634/1634  
PATENT

Attorney Docket No. HOGAN-06650

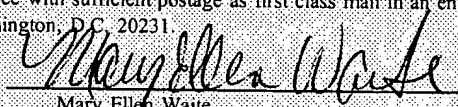
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kirk Hogan  
Serial No.: 09/976,423  
Filed: 10/12/01  
Entitled: Methods and Compositions for Perioperative Genomic Profiling

Group No: 1634  
Examiner: J.A. Goldberg

## AMENDMENT TRANSMITTAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

| CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)  |  |
|---|--|
| I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. |  |
| Dated: April 14, 2003   | By: <br>Mary Ellen Waite |

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

|                       | CLAIMS REMAINING<br>AFTER AMENDMENT |   | HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | PRESENT<br>EXTRA |   | RATE  | ADDITIONAL<br>FEE |
|-----------------------|-------------------------------------|---|---------------------------------------|------------------|---|-------|-------------------|
| Total Claims          | 27                                  | — | 23                                    | 4                | × | 18.00 | \$72.00           |
| Independent<br>Claims | 3                                   | — | 3                                     | 0                | × | 84.00 | \$0.00            |

SUBTOTAL \$72.00

Small Entity 50% Filing Fee Reduction — \$36.00

TOTAL DUE \$36.00

1. A check in the amount of \$36.00 is attached.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: April 14, 2003

By: 

David A. Casimir  
Registration No. 42,395

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
608/218-6900

**PATENT**Attorney Docket No. **HOGAN-06650****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kirk Hogan  
Serial No.: 09/976,423                      Group No.: 1634  
Filed: 10/21/2001                      Examiner: J.A. Goldberg  
Entitled: Methods and Compositions for Perioperative Genomic Profiling

**AMMENDMENT AND RESPONSE TO OFFICE  
ACTION DATED JANUARY 21, 2003**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)(1)(i)(A)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: 4-14-03By: L. Mary Ellen Waite  
Mary Ellen Waite

Madam:

The following communication is responsive to the Office Action mailed January 21, 2003, due on or before April 21, 2003. The Applicant respectfully requests reconsideration of the Application in view of the following amendment and remarks.

A clean version of the rewritten, added, and or cancelled claims with instructions for entry pursuant to 37 C.F.R., Section 1.121(c)(1)(i) is included beginning on the next page of this communication. A marked up version of the rewritten, added, and/or cancelled claims pursuant to 37 C.F.R., Section 1.121(c)(1)(ii) is attached as Appendix I. A clean version of the entire set of pending claims pursuant to 37 C.F.R., Section 1.121(c)(3) as they should appear following entry of this amendment is attached as Appendix II.